



General Assembly

***Substitute Bill No. 1111***

*January Session, 2005*

\* \_\_\_\_\_SB01111APP\_\_050305\_\_\_\_\_\*

***AN ACT CONCERNING LABOR PROVISIONS OF SPECIAL ACT 01-1.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsection (a) of section 11 of special act 01-1 is amended  
2       to read as follows (*Effective from passage*):

3       (a) In carrying out the purposes of [this act] special act 01-1, the  
4       board shall have the following powers, duties and functions:

5       (1) Review and approve or disapprove the city's annual budget,  
6       including, but not limited to, the governmental funds, enterprise  
7       funds, and internal service funds, in accordance with the provisions of  
8       section 12 of [this act] special act 01-1;

9       (2) Review and approve or disapprove an initial financial plan of the  
10      city, in accordance with the provisions of section 12 of [this act] special  
11      act 01-1;

12      (3) Review and approve or disapprove the proposed terms of any  
13      deficit funding bonds or interim funding obligations pursuant to this  
14      act or any other bonds, notes or other obligations of the city;

15      (4) (A) Approve or reject all collective bargaining agreements for a  
16      new term, other than modifications, amendments or reopeners to an  
17      agreement, to be entered into by the city or any of its agencies or  
18      administrative units, including the board of education. If the board

19 rejects a proposed collective bargaining agreement, the parties to the  
20 agreement will have ten days from the date of the board's rejection to  
21 consider the board's concerns. In rejecting an agreement, the board  
22 shall indicate the specific provisions of the proposed agreement which  
23 caused the rejection, as well as its rationale for the rejection. The board  
24 may, at its option, indicate the total cost impact or savings it would  
25 find acceptable in a new agreement. After the expiration of such ten-  
26 day period, the board shall approve or reject any such agreement. If  
27 the parties have been unable to reach an agreement or the board rejects  
28 such agreement, [the board shall set forth the terms of the agreement,  
29 which shall be binding upon the parties. In establishing the terms of  
30 the agreement, as well as in making a determination to reject a  
31 proposed agreement, the parties shall have an opportunity to make a  
32 presentation to the board. The board shall not be limited to  
33 consideration and inclusion in the collective bargaining agreement of  
34 matters raised or negotiated by the parties] the parties shall be subject  
35 to the provisions of section 7-473c or section 10-153f, as appropriate.  
36 For purposes of section 7-473c, the board shall be deemed to be the  
37 municipal employer, and for purposes of section 10-153f, the board  
38 shall be deemed to be the local or regional board of education;

39 (B) Approve or reject all modifications, amendments or reopeners to  
40 collective bargaining agreements entered into by the city or any of its  
41 agencies or administrative units, including the board of education. If  
42 the board rejects a proposed amendment to a collective bargaining  
43 agreement, the parties to the agreement will have ten days from the  
44 date of the board's rejection to consider the board's concerns. In  
45 rejecting an amendment to an agreement, the board shall indicate the  
46 specific provisions of the proposed amendment which caused the  
47 rejection, as well as its rationale for the rejection. The board may, at its  
48 option, indicate the total cost impact or savings it would find  
49 acceptable in a new amendment. After the expiration of such ten-day  
50 period, the board shall approve or reject any revised amendment. If  
51 the parties have been unable to reach a revised amendment or the  
52 board rejects such revised amendment, [the board shall set forth the

53 terms of the new amendment, which shall be binding upon the parties.  
54 In establishing the terms of the new agreement, as well as in making a  
55 determination to reject a proposed amendment, the parties shall have  
56 an opportunity to make a presentation to the board] the parties shall be  
57 subject to the provisions of section 7-473c or section 10-153f, as  
58 appropriate. For purposes of section 7-473c, the board shall be deemed  
59 to be the municipal employer, and for purposes of section 10-153f, the  
60 board shall be deemed to be the local or regional board of education;

61 [(5) With respect to labor contracts in or subject to binding  
62 arbitration, serve as the binding arbitration panel. The board shall have  
63 the power to impose binding arbitration upon the parties any time  
64 after the seventy-fifth day following the commencement of  
65 negotiations. If, upon the effective date of this act, the parties are in  
66 binding arbitration, the board shall immediately replace any  
67 established binding arbitration panel. The time limits in the applicable  
68 provisions of the general statutes or any public or special acts  
69 governing binding arbitration shall be reduced by one-half. The board  
70 shall not be limited to consideration and inclusion in the collective  
71 bargaining agreement of the last best offers or the matters raised by or  
72 negotiated by the parties;]

73 [(6)] (5) Review and approve or disapprove any contract and any  
74 renewal, extension or modification thereof not covered by collective  
75 bargaining contemplating the expenditure in either the current or any  
76 future fiscal year of more than fifty thousand dollars and shall have the  
77 power to set aside any contracts which have not been authorized in  
78 accordance with the requirements of any state or local law;

79 [(7)] (6) Review and approve all bond ordinances and bond  
80 resolutions of the city;

81 [(8)] (7) Approve transfers of appropriations made by the Board of  
82 Aldermen;

83 [(9)] (8) Appoint one or more independent auditors as such term is  
84 defined in section 7-391 of the general statutes for the purpose of

85 meeting the requirements of chapter 111 of the general statutes;

86 [(10)] (9) Audit compliance with the financial plan and the annual  
87 budget in such areas as the board shall determine;

88 [(11)] (10) Require the city to implement such measures relating to  
89 the efficiency and productivity of the city's operations and  
90 management as the board deems appropriate to reduce costs and  
91 improve services so as to advance the purposes of [this act] special act  
92 01-1;

93 [(12)] (11) Obtain information on the financial condition and needs  
94 of the city, provided nothing in this subdivision shall diminish the  
95 powers of the mayor, the finance director, the Board of Aldermen or  
96 any other board, agency or authority of the city otherwise provided by  
97 law;

98 [(13)] (12) Monitor compliance with, require implementation or  
99 implement the provisions governing revaluation set forth in section 12-  
100 62 of the general statutes;

101 [(14)] (13) Monitor the funding of pension contributions in  
102 accordance with actuarial recommendations;

103 [(15)] (14) Approve or disapprove the chief negotiator for the city for  
104 the purposes of collective bargaining and, in the case of disapproval,  
105 the board may appoint such negotiator;

106 [(16)] (15) Study the city's unfunded pension liability and, not later  
107 than two years from [the effective date of this act] March 9, 2003,  
108 report to the Governor and the General Assembly recommendations  
109 on addressing the unfunded liability which report shall be in  
110 accordance with section 11-4a of the general statutes; and

111 [(17)] (16) Report to the Governor and the General Assembly on or  
112 before July 1, 2001, and every six months thereafter, regarding the  
113 fiscal condition of the city and compliance with [this act] special act 01-  
114 1, which report shall be in accordance with section 11-4a of the general

115 statutes.

116 Sec. 2. Subdivision (2) of subsection (b) of section 11 of special act  
117 01-1 is amended to read as follows (*Effective from passage*):

118 (2) Appoint an emergency financial and administrative manager  
119 and delegate to such manager, in writing, such powers as the board  
120 deems necessary or appropriate for the purpose of managing the  
121 financial and administrative affairs of the city for the period of time  
122 during which the city is subject to the powers of the board provided  
123 the board may not delegate the powers enumerated under  
124 subdivisions (1) to [(5)] (4), inclusive, [(7), (15) and (17)] (6), (14) and  
125 (16) of subsection (a) of this section and subdivisions (1), (4) [,] and (6)  
126 to (8), inclusive, of this subsection and further provided the board may  
127 override any actions taken by such manager at any time.

128 Sec. 3. Sections 1 to 24, inclusive, of special act 01-1 are repealed.  
129 (*Effective June 30, 2006*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	SA 01-1, (a) Sec. 11
Sec. 2	<i>from passage</i>	SA 01-1, (2) of (b) Sec. 11
Sec. 3	<i>June 30, 2006</i>	Repealer section

**LAB**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*